



Meeting minutes

Meeting: **Metro Technical Advisory Committee (MTAC) meeting**

Date/time: Wednesday May 18, 2022 | 10:00 a.m. to 12:00 p.m.

Place: Virtual video conference call meeting via Zoom

Members Attending

Tom Kloster, Chair
Carol Chesarek
Raymond Eck
Terra Wilcoxson
Colin Cooper
Aquilla Hurd-Ravich
Anna Slatinsky
Laura Terway
Chris Damgen
Chris Deffebach
Gary Albrecht
Laura Kelly
Shelly Parini
Cindy Detchon
Nina Carlson
Tom Bouillion
Tara O'Brien
Brett Morgan
Sara Wright
Ryan Makinster
Andrea Hamberg

Affiliate

Metro
Multnomah County Citizen Representative
Washington County Citizen Representative
Largest City in Multnomah County: Gresham
Largest City in Washington County: Hillsboro
Second Largest City in Clackamas County: Oregon City
Second Largest City in Washington County: Beaverton
Clackamas County: Other Cities, City of Happy Valley
Multnomah County: Other Cities, City of Troutdale
Washington County
Clark County
Department Land Conservation and Development
Clackamas County Water Environmental Services
North Clackamas School District
NW Natural
Service Providers: Port of Portland
TriMet
Land Use Advocacy Organization: 1000 Friends of OR
Environ. Advocacy Org: OR Environmental Council
Home Builders Association of Metropolitan Portland
Public Health & Urban Forum: Multnomah County

Alternate Members Attending

Jean Senechal Biggs
Martha Fritzie
Jessica Berry
Theresa Cherniak
Seth Brumley
Manuel Contreas, Jr.
Heather Koch
Aaron Golub

Affiliate

Second Largest City in Washington Co.: Beaverton
Clackamas County
Multnomah County
Washington County
Oregon Department of Transportation
Clackamas Water Environmental Services
North Clackamas Park & Recreation District
Environmental Advocacy Org: PSU

Guests Attending

Barbara Fryer
Schuyler Warren
Dan Pauly
Scott Eaton
Todd Borkowitz

Affiliate

City of Cornelius
City of Tigard
City of Wilsonville

Metro Staff Attending

Ally Holmqvist, Sr. Transportation Planner	Matthew Hampton, Sr. Transportation Planner
Andrea Pastor, Sr. Regional Planner	Lake McTighe, Sr. Transportation Planner
Cindy Pederson, Research & Modeling Mgr.	Chris Johnson, Research & Modeling Mgr.
Clint Chiavarini, Sr. GIS Specialist	Eliot Rose, Sr. Transportation Planner
Malu Wilkinson, Investment & Dev. Mgr.	Patrick McLaughlin, Sr. Regional Planner
Roger Alfred, Metro Legal Counsel	Ted Reid, Principal Transportation Planner
Tim O'Brien, Principal Transportation Planner	Marie Miller, TPAC & MTAC Recorder

Call to Order, Quorum Declaration and Introductions

Chair Tom Kloster called the meeting to order at 10:00 a.m. Introductions were made. A quorum was declared. Zoom logistics and meeting features were reviewed for online raised hands, renaming yourself, finding attendees and participants, and chat area for messaging and sharing links.

Comments from the Chair and Committee Members

- **Updates from committee members around the Region** (all)
Tara O'Brien noted TriMet just had an in-person career fair day to hire new bus operators, which now have a \$7,500 bonus attached to their offer. TriMet is hoping to get back soon to pre-pandemic service levels.
- **Fatal crashes update** (Lake McTighe)
A link was shared in chat, <https://www.transportation.gov/SS4A>, on the new Safe Streets and Roads for All (SS4A) discretionary program with \$5 billion in appropriated funds over the next 5 years. In fiscal year 2022 (FY22), up to \$1 billion is available. The SS4A program funds regional, local, and Tribal initiatives through grants to prevent roadway deaths and serious injuries. The deadline for applications is 5:00 p.m. EDT on September 15, 2022.

Before reading the names of those killed in traffic crashes in the last month, background information on the data and criteria of reporting was provided. Each month we read the names of people killed in traffic crashes in the prior month. We do this to acknowledge the immense emotional, social and economic toll that these serious crashes have in our communities, and to acknowledge that serious traffic crashes are preventable and that no death on our roadways is acceptable.

Metro staff includes the names of traffic crash victims included in this report based on the most recently available fatal traffic crash data compiled by the Oregon Department of Transportation (ODOT), as well as reviewing police and news reports, as there is typically a week or so lag in the ODOT data that is reported.

ODOT compiles the official crash record for the state using traffic crash investigations and self-reported information. Metro follows national traffic crash reporting criteria, which the Portland Bureau of Transportation also uses. The criteria excludes people who die under the following circumstances:

- More than 30 days after a crash,
- Intentionally (suicide),
- In an act of homicide (a person intentionally crashes into another person with the intent to harm or kill),
- In a crash not involving a motor vehicle,

From a prior medical event (e.g. a heart attack or drug overdose), or
In a crash in a parking lot

Beyond these criteria, Metro staff does not exclude any crash based on fault or circumstance. Behind each serious crash is a story in which everyone involved is tragically impacted.

In addition to the practice of reading the names of traffic crash victims each month, Metro tracks and analyzes serious crash data trends occurring in the region. Over 70% of serious crashes occur on arterial roadways in the region. Understanding where crashes are occurring, and the factors contributing to crashes, helps regional leaders make informed decisions to improve safety.

As of this report, there have been 51 fatalities in 2022 in the three regional counties. Carol Chesarek noted the importance of reader board signs providing reminders to slow down and be more careful. It was further noted that usually five times as many serious injuries go along with each fatality reported.

Public Communications on Agenda Items - none

Consideration of MTAC minutes March 16, 2022 meeting

MOTION: To approve minutes from March 16, 2022 meeting

Moved: Laura Terway

Seconded: Andrea Hamberg

ACTION: Motion passed unanimously with two abstentions: Jessica Berry and Aaron Golub.

Transit-Oriented Development (TOD) Program Strategic and Work Plan update (Andrea Pastor and Patrick McLaughlin, Metro) Mr. McLaughlin began the presentation with an overview of the Transit-Oriented Development (TOD) program, which strategically invests to help more people live, work and shop in neighborhoods served by high-quality transit. Metro also acquires and owns properties in transit-served areas and solicits proposals from qualified developers to create transit-oriented communities in these places.

The core program activity is providing funding to stimulate private development of higher-density, affordable and mixed-use projects near transit. In addition, the program invests in "urban living infrastructure" like grocery stores and other amenities, and provides technical assistance to communities and developers.

Over the twenty-one years since its inception in 1998, the TOD program has invested or committed over \$35 million in land and projects. Regional partners have allocated federal transportation funds to support the TOD program as part of the Metropolitan Transportation Improvement Program planning process. MTIP funds, currently \$3.2 million annually, are then exchanged to provide local funding for project investments and program operations. Other funding sources included rental income from undeveloped TOD program holdings and interest on fund balances held to support future development.

Ms. Pastor presented information on the TOD Strategic Plan, created in 2011 and updated in 2016. Eligible areas for funding include ½ mile of MAX, ¼ mile frequent service bus, and 2040 Centers. Investments are guided by market strength and transit-orientation. Areas to explore with the TOD plan

update were described for implementing Metro's racial equity strategies and furthering Metro's climate mitigation and resilience goals. Stakeholder engagements planned and process timeline with this update were provided.

Comments from the committee:

- Tara O'Brien acknowledged that transit riders may not be the core of assumptions with TOD planning. However, TriMet plans to work in coordination with their strategic planning and with the TOD program and can share useful information on their Forward Together program, with analysis that shows where ridership remains strong in the region. Ridership data may be changing and as more is known with how it aligns with the High Capacity Transit and corridors they will share information with Metro. Mr. McLaughlin noted he would coordinate on this data with changes to ridership during and after the pandemic.
- Nina Carlson noted that utility stakeholders appeared to be missing when planning climate strategy. NW Natural would welcome that involvement. Regarding standards in affordable housing development in the TOD programs, and bringing these standards into new areas of the UGB, it was asked what Metro was naming as the authority for funding and code design, or if this was structured from the Legislature. Ms. Pastor noted Metro's role with housing affordability was making sure the building requirements were met and meeting strategy expectations. Utility agency involvement would be followed up for participation.
- Chris Deffebach suggested that when thinking about the strategic plan focus on not just frequent bus lines, which as mostly concentrated in east Portland on Metro maps, but look for opportunities in development in Washington Co. where there are few frequent bus lines stops currently. It was also suggested that look at TriMet's long term transit plans where increasing bus routes are planned but have not been funded yet. Look at corridors as well as town centers to extend the opportunities also. Asked with the push for affordable housing is Metro still doing market rates and adjusting for affordable housing, Ms. Pastor confirmed.
- Manuel Contreas asked if the land acquisitions were strictly on right of way or locations where residential property owners were involved. Mr. McLaughlin noted that when Metro purchased property it is not for transit purposes. The property on the market is by a willing seller.

Tigard's mid-cycle UGB proposal/COO recommendation (Ted Reid/ Tim O'Brien/ Roger Alfred, Metro and Schuyler Warren, City of Tigard) Ted Reid provided an overview of the City of Tigard/s proposal to a well-planned UGB expansion that includes middle housing under Metro's new mid-cycle UGB amendment process. The Metro Chief Operating Officer has recommended that the Council approve this expansion, but through a UGB exchange instead of the midcycle process.

The UGB exchange process, while already enabled under state law, has not been used in the Metro region. It would entail adding the River Terrace 2.0 area to the UGB and removing a comparable amount of buildable land elsewhere in the region. This approach is consistent with Metro's focus on city readiness in its growth management decisions. It recognizes that Tigard is ready for growth while some other areas that were added to the UGB in the past have not resulted in housing and may not for decades to come. Ultimately, adding land to the UGB can only help us address our housing shortage if it develops in a thoughtful, predictable way. Tigard has demonstrated that it is ready to develop River Terrace with a mix of middle housing types that makes efficient use of land.

This UGB exchange approach also holds us to the core principle of only adding to the overall size of the UGB when there is a regional need for additional 20-year land supply. This highlights an important distinction that guides our work: the difference between a present day housing shortage and long-term land shortages. State law requires us to focus on the latter when considering whether to add more land to the UGB. Given the trends of the last few years – most notably a slowing population growth rate and additional allowances for middle housing in existing neighborhoods – it is difficult to conclude that more land is needed now. What we need is to make more land inside the existing UGB ready for housing.

To ensure that we maintain an effective land supply inside the UGB, Metro’s COO has recommended that Metro work with the City of Tigard and other jurisdictions to identify areas of approximately 500 acres that are inside and adjacent to the UGB that have not demonstrated readiness to accommodate population growth. Once we have identified appropriate locations, we would return to the Metro Council for consideration of the exchange, including the addition of River Terrace 2.0 to the UGB. The goal is to complete this process this year, which is within the timeframe required by Metro code for Council action on Tigard’s UGB expansion proposal.

Schuyler Warren provided an overview of the City of Tigard’s River Terrace 2.0. The project work is focused through two lenses that are centrally linked - equity and climate change. The project is noted for:

Housing: Full matrix of housing types intermixed throughout, 20 du/ac

Affordability: Policy options to incent and support affordable housing

Commerce: Walkable options for work, destinations

Transportation: Genuinely multi-modal, transit-supportive patterns

Parks: Focused on community gathering places distributed equitably

Natural areas: Ecological function, connectivity preserved and enhanced

Infrastructure: Cost-efficient and sustainable, serve housing goals

Tigard’s housing policies and affordable housing plan, including funding, was reviewed.

Housing Options Project (2018)

Policy Changes

- Legalized middle housing in all residential zones
- Reduced parking requirements for housing
- Allowed up to 2 Accessory Dwelling Units per lot
- Clear and objective standards for housing
- Removed housing tenure and familial status from code
- Removed disparate treatment of group living

Subsequent Policies

- SDC exemptions for ADUs
- SDC reductions for middle housing (lowest rate)
- CET reduction for middle housing

HB2001+

- No land use for most housing other than apartments
- Improved standards based on experience

- Consolidated 1-3 unit housing types

The presentation concluded with noting the City of Tigard's Strategic Plan with top priorities:

- Set the standard for excellence in public service and customer experience.
- Create a well-connected, attractive and accessible pedestrian network.
- Ensure development and growth supports the vision.

Tim O'Brien noted the memo in the meeting packet that described the UGB exchange process, specifically OAR 660-024-0070 that provides the requirements for exchanging land inside the UGB for land outside the UGB. A local government may remove land from a UGB provided it determines:

- a) The removal of land would not violate applicable statewide planning goals and rules;
- b) The UGB would provide roughly the same supply of buildable land after the exchange;
- c) Existing public facilities agreements do not provide for urban services in the area to be removed from the UGB, unless the public facilities provider agrees to removal and concurrent modification of the agreement;
- d) Removal of the land does not preclude the efficient provision of urban services to any other buildable land that remains inside the UGB; and
- e) The land removed from the UGB is planned and zoned for rural use consistent with all applicable laws.

Metro staff is suggesting the following two step process for determining areas to consider for the UGB exchange. As noted this is a first draft of the proposed process.

GIS Mapping Exercise Completed by Metro Research Center/Planning Dept.

- Identify lands within and adjacent to the UGB that are not developed to urban levels using aerial photos and 2018 buildable land inventory as a starting point
- Identify larger blocks of land using natural features, roadways, development patterns etc. to help define the areas
- Document when the land was added to the UGB and the level of planning (concept/comprehensive) that has been completed for the identified blocks of land

Consultations with City/County Planning Staff/Service Providers

- Confirm status of planning for the areas
- Document why the land has not been developed such as infrastructure deficiencies, lack of property owner interest, inability to annex, or other reasons
- Identify public facility agreements, planning area agreements and other conditions/moratoriums that are holding up or limiting development
- Identify any development proposals pending for the areas
- Identify local plans or programs intended to help accelerate the development process (CIP, funding of major infrastructure)
- Refine potential land areas if necessary based on conversations with local government and service provider staff

Report Products from this research:

- Series of maps for each potential exchange area that shows: general area, buildable land, natural resources, topography and other constraints, local zoning.
- A matrix of readiness characteristics that could include the following: Total acreage, buildable land acreage and description of spatial distribution of buildable land, number of parcels and average size, status of local adopted plans for the area, infrastructure limitations – sanitary sewer, water, storm water and transportation, and risk of potential takings claim and other development barriers or considerations.

Comments from the committee:

- Martha Fritzie noted that as a technical standpoint there appeared to be no red flags in terms of the analysis presented. It was good to know there would be coordination with local jurisdictions and service providers, but curious what sort of involvement is planned with property owners with importance to this. Several questions were asked about size of lands including acreage to acreage, capacity analysis to what Tigard is proposing, type of capacity with other lands, and clarification on the last report that seemed to have UGB areas not to be developed. How was all this being factored in?

Mr. O'Brien noted that staff is working with the communications team and others to develop a plan for outreach, which will be taken to the Metro Council in June. There are timing questions yet to be answered, including the initial process identifying larger areas, working with others, and taking information to property owners. Metro Councilors have offered to meet with organizations in communications.

Regarding buildable land size, this is estimated at roughly the same size buildable land in the exchange. Capacity issues are more challenging since development is not planned in detail yet. Mr. Reid noted generally the first step in the process is identifying building land, then evaluating growth capacity on this land. Questions on redevelopment or vacant land, and buildable and what can be counted for capacity are ongoing.

Roger Alfred noted that if we get to discussions with specific parcels of land we will absolutely have engagement with property owners. DLCD requires whatever amount is added needs to be roughly the same supply of buildable land, as comparable buildable acreage. It was agreed there are questions to be answered around what buildable land is and where comparable land can be used in exchanges.

- Laura Terway thanked staff for the opportunity to add input, and felt it was inspiring to see the City of Tigard propose such a well-designed concept plan. There are many challenges planning development on edges of urban areas. This concept plan makes a strong case for the region with specifics addressed and benefiting the region as a whole.

Concerns raised include applying this judiciously and balancing near-term development with long-term development plans. Also, criteria of principles of identifying the locations that are

buildable in the UGB specific to be useful, but broad enough to apply through the region so that one portion is not disproportionate from another. It was noted the property owner engagement process be understandable of how their expectations of the future outlines with the whole process.

- Chris Deffebach asked about the precedent nature of the process, and if anything would prevent this happening again if other communities want to do the same with an exchange. Concerns were noted on the long-term implications. Were any guidelines for this known or just this specifically with Metro Council deciding if the correct process?

Mr. Alfred noted state guidelines exist with smaller jurisdictions doing this similarly. DLCD also has rules and ultimately will need to approve this. Nothing in the rules say how often you can do this exchange. But from a practical perspective it wasn't felt the Council would want to start the process on a piecemeal basis. This particular plan aligned with the mid-cycle timing. The full UGB update would be the time for more common changes to be discussed. Mr. Reid added this process came up in the Urban Growth Readiness Task Force discussions, and noted concerns moving forward could be reviewed again as needed.

- Manuel Contreas noted this was a good tool in the Metro toolbox. It was asked what the amount of land used in the exchange was planned for outside the UGB? Because this is a new process, it was suggested as one of the criteria to include the need to be fluid as lessons are learned from different methods that come with it, and staying flexible. One of the missing criteria to avoid negative impact is not limiting property to just size of acreage but also to value of property. When developing building land there are several mitigation issues to be addressed, such as infrastructure, water, sewer, utilities and roads. Different values exist between in and outside the UGB which may create competitive advantages to some exchanges.
- Carol Chesarek appreciated the opportunity to have this planned during a mid-cycle planning process. It was suggested urban growth reserves was missing in the exchange process. A concern was raised if land outside the UGB be put into reserves or something decided later. Also, concern about property owners changing their minds or challenging decisions.

Mr. Alfred noted these are all components of what we will be considering in our analysis. Initial thoughts are being discussed regarding how best to avoid taking claims possibilities. Any claims would more likely be under Measure 49 rather than pure takings claims Measure 49 created statutory provisions regarding government actions that devalue property. . Regarding the reserve question, unlike most other cities in the state we have urban and rural reserve areas. If the land in exchange comes out of the UGB we are currently thinking that it is more likely to be put into an urban reserve. More research on this will be done.

- Aquilla Hurd-Ravich asked if it was needed to have a willing jurisdiction that would agree to have their land taken out of the UGB. What happens if there are no takers, no land willing to do this and be removed from the UGB? Mr. Reid noted we would hope to avoid disagreements on exchanges, and doesn't believe there is anything in the rules that tell us we have to have a willing jurisdiction. Most would encourage sound development in the process.

- Shelly Parini-Runge thanked the staff for the opportunity to weigh in on the issues. It was noted in chat she shared Laura Terway's sentiments for the quality of the proposed project and recommendations for Metro to consider moving forward as well. Echoing the importance of public engagement with communities and property owners - especially longer-term if this becomes a new standard practice.

One of the missing criteria in understanding the environmental constraints as you look at these properties involving infrastructure and other elements such as watersheds. It was also noted that regarding the value proposition compensations whether the property is ready for development or not be evaluated. Mr. O'Brien noted the natural resources functions will certainly be taken into consideration, with part of the evaluation helping to identify these areas.

- Heather Koch noted the consideration to potential opportunities with future, comparable planning where parks and nature areas with trail systems can be developed with connections to development balancing land demands in the region.

Mr. Reid noted the timeline now goes to Metro Council to approve this initial step of the process. Initial results will be reported to MTAC later this summer or early fall.

Adjournment

There being no further business, meeting was adjourned by Chair Kloster at 11:48 a.m.

Respectfully submitted,



Marie Miller, MTAC Recorder

Attachments to the Public Record, MTAC meeting May 18, 2022

Item	DOCUMENT TYPE	DOCUMENT DATE	DOCUMENT DESCRIPTION	DOCUMENT No.
1	Agenda	5/18/2022	5/18/2022 MTAC Meeting Agenda	051822M-01
2	MTAC Work Program	5/10/2022	MTAC Work Program as of 5/10/2022	051822M-02
3	Memo	4/29/2022	TO: MTAC members and interested parties From: Lake McTighe, Regional Planner RE: April 2022 Report - Traffic Deaths in the three counties	051822M-03
4	Slide	4/29/2022	May traffic deaths report for Clackamas, Multnomah and Washington counties	051822M-04
5	Meeting Minutes	3/16/2022	Meeting minutes from MTAC March 16, 2022	051822M-05
6	Presentation	May 18, 2022	Transit-Oriented Development Program Strategic & Work Plan Update	051822M-06
7	Memo	5/12/2022	TO: MTAC members and interested parties From: Tim O'Brien, Principal Regional Planner Ted Reid, Principal Regional Planner Roger Alfred, Senior Assistant Attorney RE: Tigard's mid-cycle UGB proposal/COO recommendation/exchange process	051822M-07
8	Report	N/A	River Terrace 2.0 Mid-Cycle Urban Growth Boundary Proposal from the City of Tigard: Metro Chief Operating Officer Recommendation to the Metro Council	051822M-08
9	Presentation	5/18/2022	City of Tigard: River Terrace 2.0	051822M-09